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PTO/SB/21 (08-00)



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	09/880,842-7029
		Filing Date	June 15, 2001
		First Named Inventor	Ginette Serrero
		Group Art Unit	1642
		Examiner Name	M. Wells
Total Number of Pages in This Submission	1	Attorney Docket Number	A7542.0000/P001-D

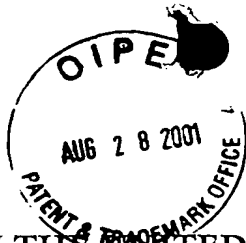
## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)  Declaration for Utility Patent Application Submission of Formal Drawings Copy of Notice to File Missing Parts
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP James W. Brady, Jr. (32,115)
Signature	
Date	August 28, 2001

FREE TRANSMITTAL For FY 2001				Complete if Known																																																																																																																																																																																															
<div style="position: relative; height: 100px;"> <div style="position: absolute; top: 0; left: 0; width: 100%; height: 100%; background: radial-gradient(circle, black 1px, transparent 1px); background-size: 10px 10px; opacity: 0.5;"></div> <div style="position: absolute; top: 10%; left: 10%; font-size: 0.8em;">           AUG 28 2001            PATENT OFFICE         </div> </div> <p style="font-size: 0.8em;">Patent fees are subject to annual revision.</p>				Application Number		09/880,842-7029																																																																																																																																																																																													
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<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: <span style="border: 1px solid black; padding: 2px;">04-1073</span></p> <p>Deposit Account Name: <span style="border: 1px solid black; padding: 2px;">Dickstein Shapiro Morin &amp; Oshinsky, LLP</span></p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17      <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed</p> <p><input checked="" type="checkbox"/> Check    <input type="checkbox"/> Credit Card    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p>				<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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Name (print/type)		James W. Brady, Jr.		Registration No. (Attorney/Agent)	32,115																																																																																																																																																																																														
Signature				Telephone	(202) 775-4786																																																																																																																																																																																														
				Date	August 28, 2001																																																																																																																																																																																														



Docket No.: A7542.0000/P001-D  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ginette Serrero

Application No.: 09/880,842

Confirmation No.: 7029

Filed: June 15, 2001

Group Art Unit: 1642

For: METHODS AND KITS FOR  
DIAGNOSING TUMORIGENICITY AND  
DETERMINING RESISTANCE TO THE  
ANTINEOPLASTIC EFFECTS OF  
ANTIESTROGEN THERAPY

Examiner: M. Wells

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Box Missing Parts**  
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date  
Granted mailed June 28, 2001, Applicant respectfully submits a Declaration, a Power of  
Attorney and formal drawings.

Our check in the amount of \$65.00 covering the fee set forth in 37 CFR 1.16(e)  
is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees  
filed, asserted to be filed or which should have been filed herewith (or with any paper

hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. A7542.0000/P001-D. A duplicate copy of this paper is enclosed.

Dated: August 28, 2001

Respectfully submitted,

By 

James W. Brady, Jr.

Registration No.: 32,115

Jeremy A. Cubert

Registration No.: 40,399

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 775-4786

Attorneys for Applicant



Duplicate

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UNITED STATES PATENT AND TRADEMARK OFFICE

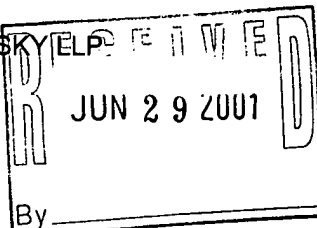
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/880,842	06/15/2001	Ginette Serrero	A7542.0000/P001-D

CONFIRMATION NO. 7029

24998

DICKSTEIN SHAPIRO MORIN & OSHINSKY  
2101 L STREET NW  
WASHINGTON, DC 20037-1526



## FORMALITIES LETTER



\*OC000000006238934\*

Date Mailed: 06/28/2001

DOCKETED

Atty

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

DOCKETED

Client/Matter# \_\_\_\_\_ Atty \_\_\_\_\_

Due Date 8-28-01 (DX) A copy of this notice **MUST** be returned with the reply.Final Deadline 12/28/01 (4X)DKTD By RR 7/2/01

R/C 7/5/01

08/29/2001 SZHDIE1 04000084 09880842 65.00 0P 01 FC:205

[illegible]



Docket No.: A7542.0000/P001-D  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Ginette Serrero

Application No.: 09/880,842

Confirmation No.: 7029

Filed: June 15, 2001

Group Art Unit: 1642

For: METHODS AND KITS FOR  
DIAGNOSING TUMORIGENICITY AND  
DETERMINING RESISTANCE TO THE  
ANTINEOPLASTIC EFFECTS OF  
ANTIESTROGEN THERAPY

Examiner: M. Wells

**SUBMISSION OF FORMAL DRAWINGS**

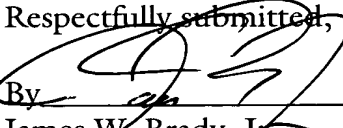
Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Submitted herewith is one set (30 sheets, figures 1A-1C, 2-5, 6A, 6B, 7, 8A-8C, 9A, 9B, 10-15, 16A, 16B, 17A, 17B, 18A-18C, 19A, 19B, 20A, 20B, and 21-23) of formal drawings for filing in the above-identified Patent application. Kindly substitute the enclosed formal drawings for the informal drawings submitted with the originally filed application.

Dated: August 28, 2001

Respectfully submitted,

By 

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